



# Flood Control District of Maricopa County

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March 11, 2010

Douglas J. Wade  
U.S. Army Corps of Engineers  
Attn: CECW-CE  
441 G Street, N.W.  
Washington, DC 20314-1000

RE: COE-2010-0007

Dear Mr. Wade:

In general we are supportive and understanding of the need to control vegetation on and near levees. However, there are times that we have to be careful about blindly applying certain standards because doing so could have unattended consequences.

We are glad to see that the Corps has a process for obtaining a variance from vegetation requirements.

Clearing vegetation near levees in heavily vegetated watercourses will encourage flow to be against the levee. Clearing a 15 foot path along the toe of the levee will increase the conveyance in that cleared path, increase velocity, and increase scour and bank erosion potential. This condition could lead to potential problems for the levee. In heavily vegetated channels it would be better to leave the vegetation near the levee, and instead clear the channel far from the levee. This will encourage the flow to be away from the levee, and keep the velocities low near the levee.

Of course we agree that vegetation that might comprise the structural integrity of the levee should be removed.

In item 7.d on page 6365 of the Federal Register (Vol 75. No. 26, Tuesday, February 9, 2010) only two reasons are listed for a variance. Will other reasons be considered? There could be cases where it would be better to leave vegetation in place near levees. If the vegetation has to be removed, the toe-down of the levee might have to be increased to account for the concentrated flow and increased velocities in the vegetation free corridor.

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The Process mentions many levels of review that have to be obtained, will a time limit be specified for how long each step should take?

What is the applicant supposed to do about the vegetation during the period their variance request is being reviewed? If they are supposed to remove the vegetation, this might negate the need for the variance.

Can the variance requester request a higher review if their request for the variance is turned down at one of the many review steps?

How long is a variance good for? Will approved variance be reviewed on a periodic basis, and the requester be required to submit updated material at some future date?

If you require further information in regards to these comments please contact me at [tmm@mail.maricopa.gov](mailto:tmm@mail.maricopa.gov), or by phone at 602-506-4605.

Yours truly,



Tim Murphy, P.E., CFM  
Mitigation Planning & Technical Programs Manager